

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 11th day of August 2009 A.D. at 7:00 p.m.

President Bollin opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call:	Donald Bollin-President	Jay Lambert
	JoAnne Arruda-Vice President	Cecil E. Leonard-Absent
	Hannibal Costa	Edward Roderick
	Louise Durfee	

Town Administrator, James C. Goncalo

Town Solicitor, Andrew M. Teitz were also present.

Approval of Consent Agenda:

All items listed with (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Council President Bollin read the items on the Consent Agenda.

Councilor Arruda made a motion, seconded by Councilor Roderick to accept the items on the Consent Agenda. Motion passed 5-1. Councilor Durfee abstained from last meeting minutes due to being absent.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings.

a. Approval of Minutes from Regular Council Meeting July 27, 2009 Councilor Arruda and Councilor Durfee Abstained - Absent

b. Approval of Executive Session Minutes from July 27, 2009 Councilor Arruda and Councilor Durfee Abstained - Absent

A-2-Receipt of Minutes from Various Board and Commissions:

a. Art's Council

b. Wastewater Management

A-3-Correspondence:

a. Received From Town of Glocester – Resolution Opposing Rate Hikes by Blue Cross and United Health

b. Received From Town of Portsmouth – Resolution Urging Support of US Supreme Court Opinion in *Carcieri v. Salazar*
Land Owned by Narragansett Indian Tribe

A-4-Approval of Tax Assessor Abatements

BUSINESS BROUGHT BEFORE THE COUNCIL:

The Town Council was sitting as the Board of Licensing Commissioners:

BOARD OF LICENSING COMMISSIONERS AND PUBLIC HEARINGS:

Hugo Key & Sons, – Request Street Excavator's License – Subject to Meeting All Legal Requirements – Approved by DPW Director S. Berlucchi

Councilor Durfee made a motion, seconded by Councilor Arruda the request for a Street Excavator's License be granted to Hugo Key & Son, Inc. subject to meeting all legal requirements. Motion passed unanimously.

LICENSING PUBLIC HEARING – ADVERTISED

Stephen & Colleen LeComte, Tiverton Coffee House, 1 Stafford Road – Request Entertainment License to Allow Live Acoustic Folk Music – Advertised - Subject to Meeting All Legal Requirements

President Bollin opened the Public Hearing on the request for an Entertainment License. Joseph Souza spoke in support of the license. Councilor Roderick noted the benefits of the business to the Town. Hearing no other comments, President Bollin closed the Public Hearing.

Councilor Durfee, as far as Public Safety, noted Mr. Spencer was the Town Planner. The Council had not heard from the Fire Chief or the DPW Director about emergency vehicles or snow plowing. Councilor Arruda also received phone calls questioning the benefits. Councilor Durfee would like to see an ad regarding what is being proposed. Councilor Lambert

agreed, good idea to get a map showing all the proposed parking spots, understands the Planner's reasoning, not sure the Town is ready yet. Councilor Arruda appreciated the Planner's view and what he was trying to accomplish.

Councilor Durfee made a motion, seconded by Councilor Costa, to hold a Public Input Hearing at the first meeting in September providing we publish a map showing what is projected. Discussion followed, Councilor Bollin only wanted maps available at Town Hall, not published, Councilor Durfee wanted to give a real notice, asked the Town Clerk and Solicitor to work together to set the ad with Mr. Spencer's help. Fire Chief Robert Lloyd agreed with what the Planner was trying to do; however, he had not seen any plans or a map, had grave concerns, fire trucks measure ten feet mirror to mirror leaving only a six inch leeway if two are passing by each other on the roadway. Distributed picture of side-by-side emergency vehicles. Motion passed on a vote of 4-2, Councilors Roderick and Bollin opposed.

NEW BUSINESS:

Caroline Levesque, RI Team Race Association – Request Permission to Hold Regatta at Fogland on September 19th and 20th – Approved by Tiverton Recreation Committee

Caroline Levesque, RI Race Team Association requested permission to hold a regatta at Fogland on Sept. 19th and 20th, approved by the Recreation Committee. Map routes and an emergency action plan were passed out to the Council. Regatta will occur just north of Fogland providing favorable conditions. Races last from 9-12 minutes. Three boat trailers will be kept off location and transport boats.

Councilor Durfee made a motion, seconded by Councilor Costa, to approve the request to hold a regatta on September 19th and 20th. Motion passed unanimously.

Councilor Lambert – Invitation to Legislators to Attend Council Meeting

Councilor Lambert proposed inviting local Legislators to update the Council on the Legislature. President Bollin requested the Town Clerk invite the Legislators and set a meeting according to the responses.

Town Clerk – Presentation and Authorization to Purchase “Clerk Base” Public Information System

Town Clerk introduced Dennis Corrado from Clerk Base Information Systems who provided a visual presentation of the Clerk Base System. A RI based company, provides full text retrieval, online document program for agendas and minutes. Agendas and back up would be scanned and sent to Clerk Base, current process would not change. Aggregates all the information, works with Municipal Code and multiple boards and commissions. Can keep ordinances past and not yet codified searchable as well. For Public transparency, also has advanced search capability, 16 RI municipalities currently use Clerk Base. Can go back as far as the Clerk wants. Program costs \$5,100.00 annually.

Councilor Durfee made a motion, seconded by Councilor Arruda to authorize the Town Clerk to purchase Clerk Base. Motion passed unanimously.

TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Bulgarmarsh Park update-T/A met with Joe Dias, Town submitted an invoice for \$30,000 vs. \$18,000 grant, has been progress. Mr. Dias agreed with the T/A to send a letter asking to increase the grant to \$75,000, thought Director Sullivan would accept.
2. Received a complimentary email about Chief Blakey who was found to be knowledgeable and very professional.
3. Abatements total \$37,971.91 so far this year.
4. Tax Collections-volume slowed, % of levy increased, and \$182,000 ahead of L/Y, gaining ground.
5. Cold planing on Main Rd. will occur August 13th and 14th, detours will be in effect.
6. If Council agrees, would like to add to the workshop agenda, discussion of a sewer district for Wastewater Management.

Councilor Durfee made a motion, seconded by Councilor Roderick to add to the Agenda on August 31, 2009 a discussion of a Sewer District for Wastewater Management. Motion passed unanimously.

COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Councilor Durfee questioned the amount of the dividends from the Trust and how they were accounted for. Will question Treasurer at next meeting. Councilors Costa and Bollin questioned the set of lights at Fish Road, should be flashing until the bridge is actually being constructed. Town Administrator will check the issue.

CLOSED EXECUTIVE SESSION

1.Town Solicitor - Litigation – 42-46-5(a) (2)

2.Town Administrator – 42-46-5(a)(2) – Collective Bargaining - Teamsters, IAFF and IBPO

Councilor Durfee made a motion, seconded by Councilor Arruda to enter into Executive Session pursuant to 42-46-5(a)(2)-Litigation. Motion passed unanimously.

Councilor Durfee made a motion, seconded by Councilor Arruda to remain in Executive Session pursuant to 42-46-5(a)(2)-Collective Bargaining-Teamsters, IAFF and IBPO. Motion passed unanimously

The Council entered into Executive Session at approximately 8:20 p.m.

The Council returned to Open Session at approximately 9:05p.m.

OPEN SESSION:

Council President Bollin announced no formal action was taken in Executive Session.

Councilor Durfee motioned to seal the minutes of Executive Session, seconded by Councilor Roderick. Motion passed unanimously.

ADJOURNMENT:

Councilor Roderick made a motion, seconded by Councilor Costa to adjourn. Motion passed unanimously.

The meeting adjourned at approximately 9:10 p.m.
A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk